

Subdivisions Tort Claims Act. [*McKenna v. Julian*, 277 Neb. 522, 527, 763 N.W.2d 384, 389 \(2009\)](#). The Act removes, in part, “the traditional immunity of subdivisions for the negligent acts of their employees.” [*Id.*](#) However, the Act does not apply to, and therefore does not waive immunity as to, any claim arising out of “libel, slander, misrepresentation, deceit, or interference with contract rights.” [Neb. Rev. Stat. § 13-910](#). Because SMC is immune from claims arising out of slander, Plaintiff’s proposed amendments to the Complaint would not withstand a motion to dismiss.

Accordingly,

IT IS ORDERED that Plaintiff’s Motion for Leave to Amend Complaint ([filing 31](#)) is denied.

DATED September 9, 2014.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**